

U.S. Department of Justice
United States Attorney
Western District of New York

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PRESS RELEASE

June 8, 2004

RE: UNITED STATES of AMERICA v. DAVID SCHMITT

United States Attorney Michael A. Battle announced today that David Schmitt, 52, of Buffalo, pled guilty before U.S. District Judge Richard J. Arcara to one felony charge of theft of postal matter.

Assistant U.S. Attorney Gregory L. Brown said Schmitt formerly operated a mail courier service and was engaged in picking-up U.S. mail from various Post Office locations in the Buffalo area. After picking-up the mail, Schmitt was supposed to deliver it to his local customers. However, during a one-month period between March and April 2002, Schmitt collected mail that was supposed to be going to a commercial design company in Toronto, Canada. Some of this mail, which Schmitt was collecting on the company's behalf, contained checks from numerous other companies that were making payments to the Toronto area company for services it had rendered, but instead of distributing the mail, Schmitt kept it and the enclosed checks for himself. Schmitt then cashed those checks at a commercial check cashing establishment and converted the funds to his own use. Schmitt fraudulently cashed more than \$36,000 worth of checks.

The conviction was the result of an investigation by the United States Postal Inspection Service. Schmitt is scheduled to be sentenced on September 14, 2004 at 12:45 p.m. before the Honorable Richard J. Arcara.

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